

**LOWER PAXTON TOWNSHIP
ZONING HEARING BOARD**

Meeting of November 4, 2010

Members in Attendance

Jeffrey Staub, Chairman
Sara Jane Cate, Vice Chairperson
David Dowling
Richard Freeburn
Gregory Sirb

Also in Attendance

Dianne Moran, Planning & Zoning Officer
James Turner, Solicitor

Docket #1288

Applicant: Calvin Clements, DVM

Address: 4905 Jonestown Road

Property: 4903-4905 Jonestown Road

Interpretation: A minimum 30' buffer yard with plant screening is required.
The applicant proposes to locate existing and proposed parking within the buffer area.

A 30' planting strip is required, with at least 20' outside of the street right-of-way.

The application encroaches into the setback.

Grounds: Sections 803.D.1 and 603.H.2 of the Lower Paxton Township Zoning Ordinance pertains to this application.

Fees Paid: September 23, 2010

Property Posted: October 25, 2010

Advertisement: Appeared in The Paxton Herald on October 20 & 27, 2010

The hearing began at 7:23 pm.

Mr. Staub stated it is customary for the Board to enter as exhibits the application and site plans. The applicant had no objection to its doing so.

Ms. Moran stated that she has begun reviewing the subdivision and land development plan, and discovered they will need a dimensional variance from section 307.A. which requires a minimum lot area of 30,000 square feet. Ms. Moran explained that both lots are substandard, and even after they are consolidated, the parcel will be substandard, with square footage around 22,000.

Mr. Staub asked how that should be handled. Mr. Turner stated the third variance has not been advertised. He suggested the Board hear testimony on all three, and take action on the

**LOWER PAXTON TOWNSHIP
ZONING HEARING BOARD**

Meeting of December 2, 2010.

Members in Attendance

Jeffrey Staub, Chairman
Sara Jane Cate, Vice Chairperson
David Dowling
Richard Freeburn
Gregory Sirb

Also in Attendance

Dianne Moran, Planning & Zoning Officer
James Turner, Solicitor

Docket #1288, Continuation

Applicant: Calvin Clements, DVM
Address: 4905 Jonestown Road
Property: 4903-4905 Jonestown Road
Interpretation: A minimum 30' buffer yard with plant screening is required.
The applicant proposes to locate existing and proposed parking within the buffer area.

A 30' planting strip is required, with at least 20' outside of the street right-of-way.
The application encroaches into the setback.

Grounds: Sections 803.D.1 and 603.H.2 of the Lower Paxton Township Zoning Ordinance pertains to this application.

Fees Paid: September 23, 2010
Property Posted: October 25, 2010
Advertisement: Appeared in The Paxton Herald on October 20 & 27, 2010

The hearing began at 7:07.

Mr. Staub explained that it was discovered that an additional variance was needed for lot size. Mr. Turner stated it was readvertised for this meeting, and all of the testimony was taken at the previous meeting, as well action. The application has to be opened in case there is any additional testimony. If there is none, Mr. Turner advised that the Board can act to reaffirm the decision made at the previous meeting.

Mr. Staub asked for additional comment from Board members. There was none.

Mr. Staub called for comments from the audience, and heard none.

IN RE: : BEFORE THE LOWER PAXTON
: TOWNSHIP ZONING HEARING BOARD
APPLICATION OF : DAUPHIN COUNTY, PENNSYLVANIA
:
CALVIN CLEMENTS : DOCKET NO. 1288

DECISION GRANTING VARIANCE

The applicant seeks a variance from landscape buffer and parking setback requirements and variances relating to the consolidation of two substandard lots. A hearing on the application was held on November 4, 2010 and continued on December 2, 2010.

Facts

1. The applicant and owner of the property in question is Calvin Clements, DVM, of 4905 Jonestown Road, Harrisburg, Pennsylvania. The applicant was represented at the hearing by Robert E. Shaffer, Jr., Site Engineer.

2. The property in question is located on the south side of Jonestown Road and consists of an irregularly shaped parcel approximately 120 feet wide and 180 feet deep. The property is comprised of two parcels used for a veterinary office and other retail uses.

3. The applicant proposes to consolidate the two parcels and to add to the existing buildings to create one new combined building. In addition the applicant proposes to extend the existing parking lot to the west to create five new spaces. Impervious coverage will be within the ordinance's limitations.

4. The proposed new parking will continue the existing setbacks to the rear and to the east along Byron Avenue. This will result in a landscape buffer encroachment of 15 feet with a distance of 15 feet to the zoning district boundary which is in the middle of the alley on the south side of the property.

5. Notice of the hearing was posted and advertisement made as required by the ordinance.

6. No one other than the applicant appeared to testify either in favor of or against the proposed variances.

Conclusions

1. Section 803.D.1 requires a minimum buffer yard of 30 feet. In addition a planting strip of 30 feet is required by Section 603.H.2. Article 307.A. establishes minimum lot area regulations of 30,000 square feet. The proposed parking plan and lot consolidation violate these sections of the ordinance.

2. Article 111.D.3 of the ordinance gives the Zoning Hearing Board the power to authorize, in specific cases, variances from the terms of the ordinance and its supplements as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship. The ordinance further requires that the spirit of the ordinance shall be observed, public health, safety and general welfare shall be secured, substantial justice shall be done, and no appreciable diminution of the market value surrounding properties shall be caused by such variance.

3. The Board finds that the property in question is burdened by a hardship consisting of the limited lot area. This hardship makes reasonable use of the property as intended by its zoning classification impossible without variance.

4. Granting the variance will not alter the essential character of the neighborhood nor impair surrounding property values. The lot consolidation is bringing two non-conforming lots into one lot which, while still non-conforming, is closer to the requirements of the ordinance. The parking plan only continues the existing

encroachments and its offsite impact can be eliminated by the installation of appropriate fencing, which the applicant has agreed to install.

Decision

In view of the foregoing and having carefully considered the plans and testimony submitted to the Board, it is the opinion of the Board that the variance requested should be and is hereby granted allowing the consolidation of the existing lots and the development of a parking lot as outlined in applicant's Variance Plan. This variance is conditioned upon the applicant installing a four feet tall privacy fence along the south end of the parking lot for the length of the alleyway.

Date: 2/3/2011

LOWER PAXTON TOWNSHIP
ZONING HEARING BOARD

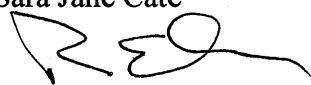


Jeffrey W. Staub

David B. Dowling



Sara Jane Cate



Richard E. Freeburn

Gregory P. Sirb

**LOWER PAXTON TOWNSHIP
ZONING HEARING BOARD**

Meeting of November 4, 2010

Members in Attendance

Jeffrey Staub, Chairman
Sara Jane Cate, Vice Chairperson
David Dowling
Richard Freeburn
Gregory Sirb

Also in Attendance

Dianne Moran, Planning & Zoning Officer
James Turner, Solicitor

Docket #1289

Applicant: PinnacleHealth Systems
Address: PO Box 8700, Harrisburg, PA 17101
Property: 4300 Londonderry Road
Grounds: Section 714 of the Lower Paxton Township Zoning Ordinance
pertains to this application.

Fees Paid: September 30, 2010
Property Posted: October 25, 2010
Advertisement: Appeared in The Paxton Herald on October 20 & 27, 2010

The hearing began at 7:47 pm.

The Board members discussed how to handle a request for so many signs. Mr. Freeburn suggested this docket should have had its own meeting. Mr. Dowling stated he does not want to hear about every sign, he wants to hear an overview of how the applicant decided what signs were needed and where, and what standards were used in the decisions. Mr. Dowling stated that someone who knew what he was doing surely spent a lot of time to determine where to put these signs. Mr. Dowling also noted that the signs are internal to the site.

Mr. Freeburn had a concern about giving a carte blanc if there may be signs that interfere with traffic at an intersection or something like that.

Mr. Staub stated it is customary for the Board to enter as exhibits the application and site plans. The applicant had no objection to its doing so.

Mr. Sirb asked what the maximum allowed signage is for the site. Ms. Moran asked Mr. Sirb which group of signs he was asking about. Mr. Shugart offered the information on his chart, as it shows what is allowed and what is permitted for each sign type. Mr. Turner stated the exhibit referred to is in the original application.

The following were sworn in: Greg Shugart, Deforest Sign Company; William Wilkison, PinnacleHealth.

Mr. Wilkison stated that PinnacleHealth has been before the Board of Supervisors numerous times over the past ten years for various improvements to the Community General Osteopathic Hospital (CGOH) Campus which have really improved the ability to provide services to the community. With this growth, the campus has grown in complexity and visitors are having difficulty navigating the campus. There have been a number of complaints both directly from patients/visitors, and also from the doctors that have received the complaints from their patients. There will be another building opening soon: the Medical Sciences Pavilion, which is mostly an outpatient facility and will have a high volume of traffic. This will add to the existing problems. These are the reasons for the proposed improvements to the signage.

Mr. Shugart stated there have been major renovations to the Campus. There are people coming to the hospital for doctor appointments, procedures, to visit relatives and for emergencies. There is a real need to move around the campus safely, and without creating additional stress on those coming to the campus.

Mr. Shugart presented photographs of the main entrance to the facility off Londonderry Road, the entrance to the Bloom Building, and the entrance off of Arlington Avenue. There are two types of signs being added or replaced, instructional signs and directional. The instructional signs are permitted and are limited to four feet in height and eight square feet in area, and four per parcel. Mr. Shugart directed the Board to the section of his chart regarding instructional signs.

Mr. Sirb asked if 25 instructional signs are permitted, and 4 are allowed. Mr. Shugart answered that is correct.

Mr. Sirb stated the ordinance allows a sign to be four feet in height, and they are requesting eight feet in height. The request is based upon United States Department Highway Transportation, regarding height of signs and visibility over cars and things of that nature. Most of the requested signs are eight feet, but there are three that are at 15 feet. The reason for that is they are shuttle bus signs on top of shelters. The signs will not be illuminated. There are some PinnacleHealth regulation signs with messages like no smoking or no skateboarding.

The other part of this request is about directional signs. There is no limit in the number of signs, but there is a limit of 16 square foot of sign area and a maximum height of six feet tall. Directional signage is very important to a campus with several entrances and several buildings with multiple functions in each.

Mr. Shugart explained that the directional signs will all be designed in the same manner. The only part of the copy area that will be lit will be the area of the wording, not the entire sign.

Mr. Dowling stated the ordinance has an allowable height of six feet, and most of the proposed signs are taller, and asked for an explanation. Mr. Shugart explained that they have to start three feet off grade for visibility around cars.

Mr. Dowling stated the signs seem to have a lot of information on each sign. Mr. Shugart stated those are the services offered on the site. It is important that someone coming in from any entrance can get to any of the services offered, safely and expeditiously.

Mr. Freeburn asked the height of the tallest directional sign. Mr. Shugart stated the tallest is 9.5 feet high; six feet of copy.

Mr. Sirb asked if there are more than one parcel associated with the site. Even if there is only one, it is a huge parcel. Mr. Turner asked how many buildings are on the site. Mr. Wilkison stated there are four distinct patient care buildings.

Mr. Dowling stated that the sign height is requested based on visibility. He stated that the area of the signs is justified by the volume of content on them. He asked about the process used to determine where the signs should go and how high and how big. Mr. Shugart stated that H. Edward Black did an extensive survey of the site. There is also information from the US Department of Transportation Manual on Uniform Traffic Control Devices about what can safely be read. In an urban area that publication calls for signs seven feet in height before the copy is seen.

Mr. Dowling asked how much traffic the site experiences. Mr. Wilkinson stated there is a detailed traffic study. On any given day at any given time, he estimated there are 40-50 empty parking spaces and everything else is full. There is constant traffic of patients, visitors et cetera and the parking spaces turn over frequently.

Mr. Dowling questioned the geographic draw for this campus. Mr. Wilkison stated they draw from Dauphin, Cumberland and Perry Counties, as well as Northern York, Southwestern Schuylkill County, Lebanon County. Because of the specificity of the services offered, people do come from all of those locales. The rehab hospital has 55 beds and the average daily census is 37-40 patients, from any of the mentioned counties, and beyond. CGOH is not what it used to be when it served this and the immediate surrounding municipalities. In 1997, the average daily census of the hospital was 40, and there are now 185 beds. The newer buildings are mainly to treat outpatients. The newest building is the Cancer Center, and it is the only cancer treatment facility in the PinnacleHealth system, and is associated with Fox Chase.

Mr. Shugart stated that all the signs being discussed are internal. Mr. Dowling stated his main concern was that there was some group of people who spent enough time deciding what was needed and where. He stated he does not want to hear about every sign.

Mr. Wilkison stated this signage has been worked on for over a year. The ultimate goal is to get people who are already stressed out being a patient who does or might have something wrong or they may be a visitor of such a person, and most do not know where they are going. The goal is that that person can get to wherever they need to be from which ever entrance they used by simply following the color coded signs. The amount of copy, the color of the copy, and the amount of signs are all based on that goal.

Mr. Turner asked about illumination. The signs will be internally illuminated, there will be no flood lights, no lights shining into the air or off site. Mr. Shugart stated the only part of the sign that will be lit will be the part with words on it.

Mr. Dowling and Mr. Freeburn stated their concerns have been addressed. Mr. Freeburn stated the older he gets, the more direction he needs to find where he needs to go. Ms. Cate stated she shares those concerns.

Mr. Sirb stated he thinks that less is more and the amount of reading on one sign is a lot, but with the multiple functions taking place, there is some leeway that needs to be given. He suggested the amount of signs could be worked on.

Mr. Dowling stated he felt it was too complex to second guess. Mr. Sirb agreed to a degree, but he felt it was important to show the rationale behind granting such a variance, and he felt it was accomplished with the testimony given.

Mr. Freeburn stated a hospital is not the same as a gas station where the signage is advertising.

Ms. Cate stated she has a reputation for being "anti-sign" on the Zoning Hearing Board, but she stated she can recognize the needs of the Hospital and she noted it was handled very well and she is satisfied with the explanation.

Mr. Staub stated that he agrees with the comments noting that what is proposed will solve a lot of problems that exist on the site. He has visited the Campus twice in the last year, both times in the dark and under duress and it is very difficult to find your way.

Mr. Staub questioned the table that lists signs to remain and new signs. Mr. Shugart explained that the signs listed as remain will actually be removed and replaced with what is shown. Mr. Wilkison explained that there are quite a few signs such as "Emergency Parking Only" which are placed at every parking space associated with the emergency room.

There was no comment from the audience.

The Township did not have a position on the application. Ms. Moran noted that when she met with H. Edward Black, they went over everything very thoroughly and she noted her appreciation for the work that was put into this project.

Mr. Freeburn made a motion to grant the request as submitted. Ms. Cate seconded the motion, and a roll call vote followed: Mr. Freeburn-Aye; Mr. Dowling-Aye; Mr. Sirb-Aye; Ms. Cate-Aye; and Mr. Staub-Aye.

The hearing ended at 8:28 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "MHiner", is written above the printed name.

Michelle Hiner
Recording Secretary

IN RE: : BEFORE THE LOWER PAXTON
: TOWNSHIP ZONING HEARING BOARD
APPLICATION OF : DAUPHIN COUNTY, PENNSYLVANIA
:
PINNACLE HEALTH SYSTEM : DOCKET NO. 1289

DECISION GRANTING VARIANCES

The applicant seeks numerous variances in connection with a resigning project. A hearing on the matter was held on November 4, 2010.

Facts

1. The applicant and owner of the property in question is Pinnacle Health System. The application was submitted by the project contractor Greg Shughart of DeForest Signs.
2. The property in question consists of a 35 acre campus on which is erected an extensive medical facility including a hospital and several free standing office buildings and outpatient treatment facilities.
3. The applicant proposes to erect numerous new directional signs throughout the campus. The signs include new instructional signs which are proposed at a height of 4 feet with a total area of 8 square feet. Three signs are proposed at a height of 15 feet to identify shuttle bus shelters. In addition, the applicant proposes directional signs with an area of up to 16 square feet with a height of 6 feet. One directional sign would be 9 feet 6 inches in height.
4. The applicant proposes the sign package to improve onsite circulation on the campus. With four distinct buildings and multiple businesses on the site, signs in excess of the normal areas are proposed to allow ready identification of building locations within the campus. The applicant has received considerable complaints from patients and others visiting the site about the difficulty finding their intended destination.

This difficulty is aggravated by the large size of the site, the numerous buildings, and the large number of businesses. Many persons coming to the site are unfamiliar with it and/or in a state of anxiety due to the nature of the business conducted on the site.

5. Notice of the hearing was posted and advertisement made as required by the ordinance.

6. No one other than the applicant appeared to testify either in favor of or against the proposed variances.

Conclusions

1. Section 714 of the ordinance generally regulates the placement of permanent signs. The proposed sign package would violate a number of these requirements pertaining to size, illumination, height and number of signs.

2. Article 111.D.3 of the ordinance gives the Zoning Hearing Board the power to authorize, in specific cases, variances from the terms of the ordinance and its supplements as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship. The ordinance further requires that the spirit of the ordinance shall be observed, public health, safety and general welfare shall be secured, substantial justice shall be done, and no appreciable diminution of the market value surrounding properties shall be caused by such variance.

3. The Board finds that the property in question is burdened by a hardship not created by the owner consisting of its large size and numerous distinct business operations on a single site. These factors mandate relief from the ordinance to allow the safe identification of the different destinations within the facility. The nature of the business conducted on the site further increases the need for easy navigation of the site.

4. Granting the variance will not alter the essential character of the neighborhood. The signs will have virtually no off-site impact given their placement within the overall campus. If anything, the public safety will be improved by clearer directions to medical facilities.

Decision

In view of the foregoing and having carefully considered the plans and testimony submitted to the Board, it is the opinion of the Board that the variances from sign regulations should be and are hereby granted allowing the erection of a sign package in accordance with the plans and testimony submitted to the Board.

Date: 12/2/10

LOWER PAXTON TOWNSHIP
ZONING HEARING BOARD



Jeffrey W. Staub



David B. Dowling



Sara Jane Cate



Richard E. Freeburn

Gregory P. Sirb

**LOWER PAXTON TOWNSHIP
ZONING HEARING BOARD**

Meeting of November 4, 2010

Members in Attendance

Jeffrey Staub, Chairman
Sara Jane Cate, Vice Chairperson
David Dowling
Richard Freeburn
Gregory Sirb

Also in Attendance

Dianne Moran, Planning & Zoning Officer
James Turner, Solicitor

**Docket #1290
Special Exception # 10-04**

Applicant: South Central Emergency Medical Services
Address: 5531 Poplar Street
Property: 5531 Poplar Street
Grounds: Section 805.C.3, 803.D.1, 307.A of the Lower Paxton Township
Zoning Ordinance pertains to this application.
Fees Paid: September 30, 2010
Property Posted: October 25, 2010
Advertisement: Appeared in The Paxton Herald on October 20 & 27, 2010

The hearing began at 8:29 pm.

Mr. Staub stated it is customary for the Board to enter as exhibits the application and site plans. The applicant had no objection to its doing so.

Ms. Moran explained that the Planning Commission reviewed the application and had no objections.

The following were sworn in: Frank Grottola, Act One Consultants; and Dianne Moran, Planning & Zoning Officer.

Mr. Grottola stated that the first sheet of drawings shows the gray shaded area representing the buffer that would lie to the east and south along the residential area. There is a totally wooded area to the east. No construction is proposed in that direction. The expansion of the building, which has been there since 1975, is proposed to house the equipment used by the South Central Emergency Medical Services (SCEMS). There is a proposed 12 foot expansion to the west, towards Paxtonia Fire Company.

He explained the site is paved, that is why no stormwater is proposed. There will be no grading work done, only raising the building by putting a freestanding steel building with garage doors that are big enough to get ambulances into without folding the mirrors in. There will also be security improvements made and a second story added. This is the maximum that can be done

with the lot, and the minimum needed for the association to function. This site is a central point in Dauphin County.

Mr. Grottola stated that three ambulances can fit inside and there will be an access drive of over 20 feet. Diagonal parking is proposed to meet the criteria. He noted that they may drive to the west towards Paxtonia Fire Company.

Ms. Cate questioned the number of employees in an evening or a shift. Mr. Grottola answered two per shift.

Barry Calhoun, CEO and Executive Director of SCEMS was sworn in. Mr. Calhoun stated there is one ambulance with two personnel aboard. Shifts run from 7 pm to 7 am, and 7 am to 7 pm. There can be times with two ambulances, based on status management. Previously there were three bays with three trucks, but there will normally only be one, sometimes two trucks. A supervisor may stop in, but is not stationed there. There may be a drive-through bay, depending on money.

The three bays will be on the north side of the building. The drive-through bay will enter on the south side and exit on the north side of the building, and it is located on the west side of the building.

Mr. Staub stated he was concerned about the off-street parking. When he scales the parking spaces on the plan, they do not meet the Township standard of 18 feet. He also questioned the ability to enter from the south side of the building if the angled parking is located there. Mr. Grottola stated they scaled that to work with the required access way. He noted they propose seven spaces and are only required to provide five. He and Scott Buchle looked at this and believe they can do it. Mr. Staub asked if the aisle width needs to be amended to meet the requirements, will they have to resubmit their drawings for the variance.

Mr. Staub asked where the employees park currently and if they park at the firehouse, since there is no parking area marked. Mr. Grottola stated they park on the south side of the lot near Louise Avenue. Mr. Staub stated Louise Avenue is paved and he did remember seeing vehicles in that area. Mr. Grottola did not think Louise Avenue was paved, rather it is all grass, and off-site.

Mr. Staub stated the drawing shows Louise Avenue as paved. Mr. Grottola stated that is because the fire company has everything paved except for the little chunk of grass.

Ms. Cate questioned the ownership of the building. Mr. Calhoun stated SCEMS owns it. She asked if LP Firemen's Association owns the land, as indicated on the plan. Mr. Calhoun stated they are the neighboring property, and they do not own the SCEMS property. Mr. Grottola noted he did notice that on the plan, and it is a housekeeping issue.

Mr. Sirb asked if there are sleeping quarters on-site. Mr. Calhoun answered yes, as well as a minimal kitchen facility. Ms. Cate asked if that will be relocated on the second floor. Mr. Grottola stated it would be, but right now everything occurs on one level.

Mr. Sirb asked if SCEMS is a for-profit agency. Mr. Calhoun stated it is a 501(c)3 charitable organization.

Mr. Staub asked if SCEMS receives funding from the Township. Mr. Calhoun answered yes.

Mr. Calhoun stated there are facilities for bunks, but it is rare that they are used. The staff may rest in a recliner type of chair.

Mr. Sirb asked if there is another EMS service in the area as competition. Mr. Calhoun stated the competition is in the transportation business, which is different. He explained that ambulances are assigned based on municipalities, and SCEMS is responsible for 911 calls in Lower Paxton, West Hanover, East Hanover and portions of South Hanover Townships.

Mr. Freeburn asked about fee-based services such as transporting a patient between hospitals. Mr. Calhoun stated SCEMS does provide emergency and non-emergency services. If a person is at CGOH and needs a heart cathertization right away, SCEMS is called to emergency-transport the patient to Harrisburg Hospital. Non-emergency transportation does not go through 911, but is performed from this facility. Mr. Freeburn asked if the vehicles are assigned. Mr. Calhoun stated the ambulance is for 911 emergencies. There are five vans for non emergency transports, and they are not located at this facility.

Ms. Cate asked if the applicants spoke to the residential neighbors about the hearing. Mr. Calhoun stated they have only spoken to the fire company so far. If SCEMS gets approval, Mr. Calhoun will talk to Barney Gross. He added that that property is in a trust, and SCEMS has not been able to contact that owner for at least 17 years, even through hiring counsel to contact him.

Mr. Staub asked about parking setbacks from the building. Ms. Moran stated that is a pre-existing non-conforming part of this plan.

There was no comment from the audience.

The Township had no position on the application.

Mr. Sirb made a motion to grant the variance and special exception. Mr. Freeburn seconded the motion, and a roll call vote followed: Mr. Freeburn-Aye; Mr. Dowling-Aye; Mr. Sirb-Aye; Ms. Cate-Aye; and Mr. Staub-Aye.

The hearing ended at 8:54 pm.

Respectfully Submitted,



Michelle Hiner
Recording Secretary

IN RE: : BEFORE THE LOWER PAXTON
: TOWNSHIP ZONING HEARING BOARD
APPLICATION OF : DAUPHIN COUNTY, PENNSYLVANIA
: DOCKET NO. SE 2010-04
SOUTH CENTRAL EMS : DOCKET NO. 1290

**DECISION GRANTING VARIANCES
AND SPECIAL EXECPTIONS**

The applicant seeks a special exception to expand a non-conforming use and relief from buffer, setback and impervious coverage regulations in connection with the proposed expansion of an existing emergency medical services facility. A hearing on the matter was held on November 4, 2010.

Facts

1. The applicant and owner of the property in question is South Central EMS of 5531 Poplar Street, Harrisburg, Pennsylvania 17112. The applicant was represented at the hearing by Frank Grottola, Project Engineer, and Barry Calhoun, President.
2. The property in question consists of an 80 feet by 125 feet lot improved with a one story block building which houses an ambulance and crew. The existing lot is 100% impervious. The parcel is zoned R-2 Residential.
3. The applicant proposes to increase the footprint of the existing building by approximately 1274 square feet with a partial second story. This increase is to increase operations space and vehicle maneuverability within the building. No new employees are proposed.
4. The new building would be setback 15 feet from either side yard property line and 25 feet from the front and rear property lines.
5. Notice of the hearing was posted and advertisement made as required by the ordinance.

6. No one other than the applicant appeared to testify either in favor of or against the proposed variances.

Conclusions

1. The zoning ordinance limits the expansion of non-conforming properties to 5%. Buffer yards of 30 feet to the east and south sides of the property are required as are building setbacks of 25 feet to the front and 15 feet to the side. All of these sections of the ordinance are violated by the proposed construction.

2. Article 111.D.3 of the ordinance gives the Zoning Hearing Board the power to authorize, in specific cases, variances from the terms of the ordinance and its supplements as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship. The ordinance further requires that the spirit of the ordinance shall be observed, public health, safety and general welfare shall be secured, substantial justice shall be done, and no appreciable diminution of the market value surrounding properties shall be caused by such variance.

3. The Board finds that the applicant has met the standards for a variance and a special exception. The property in question is burdened by a hardship in that it is extremely small and already covered with 100% impervious coverage. Any expansion would require variance.

4. Granting the variance will not alter the essential character of the neighborhood nor adversely impact surrounding property. The closest building to the site is a township fire station. Allowing the expansion will allow the applicant to adequately meet the needs of the Township for emergency medical services.

Decision

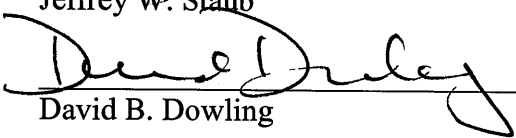
In view of the foregoing and having carefully considered the plans and testimony submitted to the Board, it is the opinion of the Board that the variances and special exception should be and are hereby granted allowing the applicant to construct an addition to the existing facility at 5531 Poplar Street in strict conformity with the plans and testimony submitted to the Board.

Date: 12/7/10

LOWER PAXTON TOWNSHIP
ZONING HEARING BOARD



Jeffrey W. Staub



David B. Dowling



Sara Jane Cate



Richard E. Freeburn

Gregory P. Sirb